IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.24295 of 2008
RAJESH BANGALI @ RAJESH SAH @ RAJESH SWARNKAR
Versus
STATE OF BIHAR

2/ 18.07.2008 Heard learned counsel for the petitioner and learned counsel for the State.

Case is under Sections 379 & 411 of the IPC. As per the prosecution case informant has parked his motor cycle in verandah. Later on, he heard sound of a motor cycle and came out from his garden and saw that a person was driving his motor cycle. He followed with his cycle and after some distance he met a boy with an empty container. On query, he was informed that he was going to get petrol for motor cycle. He followed the boy and found his motor cycle parked at a lonely place. Upon asking, the boy disclosed the name of the persons including this petitioner. This petitioner was apprehended and was taken into custody on 12.2.2007. However, since then no T.I.P. has been held in the case. It is stated that the petitioner has no criminal antecedent.

In the circumstances, in view of

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the fact that the identification of the petitioner is not established in the case during investigation and the petitioner is in custody since 12.2.2007, this application is allowed. Let petitioner Rajesh Bangali @ Rajesh Sah @ Rajesh Swarnkar be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Rajesh Kumar, J.M. Ist Class, Purnea in connection with Purnea Sadar P.S. Case No.. 383 of 2006.

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DKS/ **(J.N.Singh,J)**